

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISIONUNITED STATES OF AMERICA) CR #: 2:96-669
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)
)
vs.) **ORDER**
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)
ARTHUR ALLEN HALEY,)
)
)
Defendant)

This matter is before the court on Arthur Allen Haley's ("Haley") Motion for Reconsideration, which was filed on May 4, 2012.

Haley requests that the Government refile its previously offered sentence reduction motion that Haley rejected over a decade ago. The Government has not responded to Haley's motion, so it obviously is not going to make such a motion and this court cannot force it to do so.

Additionally, Haley makes vague allegations about ineffective assistance of counsel. These allegations can only be interpreted as a motion for habeas corpus pursuant to 28 U.S.C. § 2255. Haley has filed several similar motions, the last of which was rejected by this court on October 1, 2010. As noted in that order, because Haley filed previous § 2255 motions, he is required to obtain authorization from the Fourth Circuit Court of Appeals in order to file a successive § 2255 motion. That he has not done.

Haley's current motion is another request that he be released from prison or allowed to serve his sentence at home. As this court informed Haley in its order of October 1, 2010, only the President of the United States has the power to commute his sentence. In the same order, the

court provided Haley with information from the Office of the Pardon Attorney and the website where this information can be located.

In summation, the Government will not make any motion that will give Haley the relief he desires and this court is without jurisdiction to consider the § 2255 portion of his motion. Haley can ONLY get his sentence commuted or reduced by filing a Petition with the Office of the Pardon Attorney.

THEREFORE, Haley's Motion to Reconsider is **DENIED**.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

April 30, 2013
Charleston, S.C.